



# Journal of the Senate

Number 14—Regular Session

Friday, April 16, 2004

## CONTENTS

Bills on Third Reading .....	658
Call to Order .....	657
Co-Sponsors .....	666
Committee Substitutes, First Reading .....	662
House Messages, Final Action .....	666
Motions Relating to Committee Meetings .....	658
Motions Relating to Committee Reference .....	658
Reports of Committees .....	662
Resolutions .....	657

## CALL TO ORDER

The Senate was called to order by President King at 1:01 p.m. in lieu of 12:30 p.m. A quorum present—38:

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Saunders
Bennett	Haridopolos	Sebesta
Campbell	Hill	Siplin
Carlton	Jones	Smith
Clary	Klein	Villalobos
Constantine	Lawson	Wasserman Schultz
Cowin	Lee	Webster
Crist	Lynn	Wilson
Dawson	Margolis	

Excused: Senators Bullard and Wise

## PRAYER

The following prayer was offered by Senator Fasano:

Heavenly Father, we humbly come before you this afternoon to ask for your divine guidance upon us as we undertake the important business we have been elected to do. We ask for your blessing upon the debate and discussion that we will soon engage in.

We ask that you provide wisdom to each and every member here so that we can make the decisions that will have a positive impact upon everyone who is proud to be a Floridian. May we look beyond our own wills and desires and remember that we are servants to the public-at-large. Please guide us in all that we say. May we always be grateful for the awesome task you have entrusted us with and we thank you for this opportunity to be the public face and voice of our constituents.

We ask all these things in thy name. Amen.

## PLEDGE

Senate Pages Justin Barnes of Wewahatchka, Arica L. Carswell of Lauderdale Lakes, Ashley Dignam of Englewood and Justin Harrell of Tallahassee, led the Senate in the pledge of allegiance to the flag of the United States of America.

## DOCTOR OF THE DAY

The President recognized Dr. William Zink of Orlando, as doctor of the day. Dr. Zink specializes in Orthopedics.

## ADOPTION OF RESOLUTIONS

At the request of Senator Wilson—

By Senator Wilson—

**SR 1428**—A resolution recognizing April 20, 2004 as “STOP Day” in the State of Florida.

WHEREAS, violence in America’s schools threatens the core of the educational process and deprives students and teachers of opportunities to learn and teach without the fear of harm, and

WHEREAS, “STOP Day” is intended to raise awareness of the growing epidemic of violence in America’s schools and to encourage those who foment violence to opt for peaceful resolution of their grievances and a path of self-improvement and healing, and

WHEREAS, students are urged to recite the “Stop Day” pledge, which states: “I pledge to be nonviolent and to respect my fellow classmates. I will report crime or acts of violence to appropriate officials or call Crime Stoppers to report incidents anonymously. I will not let the actions of a few make my school dangerous or unsafe. I want a safe learning environment and will work with my fellow students to make it so,” and

WHEREAS, “STOP Day” participants are urged to show their support by developing anti-violence community service projects, inviting legal professionals to speak to student groups, conducting open-ended skits that allow student observers to predict outcomes of conflict based upon real life choices, developing a process that encourages the reporting of school crime or violence, and conducting mock trials, and

WHEREAS, “STOP Day” will give every student in Florida an opportunity to evaluate this critical issue and assess his or her role in preventing crime or violence in our schools, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That the Florida Senate is aware of the importance of stopping violence in schools and recognizes April 20, 2004 as “STOP Day” in the State of Florida.

—**SR 1428** was introduced, read and adopted by publication.

At the request of Senator Hill—

By Senator Hill—

**SR 3096**—A resolution recognizing and commending Omega Psi Phi Fraternity, Inc., for its invaluable community service to the people of the State of Florida.

WHEREAS, on November 17, 1911, three Howard University undergraduate students, assisted by their faculty advisor, met and conceived the idea of founding Omega Psi Phi Fraternity, Inc., based on the cardinal principles of “manhood, scholarship, perseverance, and uplift,” and

WHEREAS, Omega Psi Phi Fraternity, Inc., was the first fraternity founded at a Historically Black College or University, and, since its inception, has initiated more than 130,000 members in 550 chapters in 44 states, the District of Columbia, Europe, Asia, Africa, the Bahamas, the Virgin Islands, and Panama, and

WHEREAS, Omega Psi Phi Fraternity, Inc., is committed to rendering community service that makes a difference in quality of life, and has made invaluable contributions toward improving the educational, civic,

and social lives of the people it has touched in Florida and throughout the world, and

WHEREAS, Brother George H. Grace of Miami, Florida, presently leads Omega Psi Phi Fraternity, Inc., serving as the Fraternity's 37th Grand Basileus; Brother Edgar L. Mathis, Sr., of Jacksonville, Florida, is the National Representative for District 7, which includes Florida, Georgia, Alabama, and Mississippi; and Brother Leslie Gamble of Miami, Florida, is the National Representative for the State of Florida, and

WHEREAS, other distinguished Floridians who are Brothers of Omega Psi Phi Fraternity, Inc., include United States Congressman Kendrick Meek, State Senator Anthony C. "Tony" Hill, Sr., State Senator Gary Siplin, State Representative Wilbert "Tee" Holloway, State Representative Frank Peterman, Jr., and Tallahassee Mayor John Marks, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That the Florida Senate commends Omega Psi Phi Fraternity, Inc., for its invaluable community service to the people of Florida and recognizes April 16, 2004, as Omega Psi Phi Fraternity, Inc., Day in the State of Florida.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to George H. Grace, Grand Basileus of Omega Psi Phi Fraternity, Inc., as a tangible token of the sentiments of the Florida Senate.

—**SR 3096** was introduced, read and adopted by publication.

### MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Pruitt, by two-thirds vote **CS for CS for SB 1376, CS for CS for CS for SB 2954 and CS for SB 1494** were withdrawn from the Committee on Appropriations.

On motion by Senator Lee, by two-thirds vote **CS for SB 96, CS for CS for SB 2820, CS for SB 174, CS for CS for SB 1982 and CS for CS for CS for SB 2488** were withdrawn from the Committee on Appropriations Subcommittee on General Government; **SB 142 and CS for CS for SB 2336** were withdrawn from the Committees on Appropriations Subcommittee on Criminal Justice; and Appropriations; **CS for SB 244 and 1566, CS for SB 2536, CS for SB 2772 and CS for SB 2960** were withdrawn from the Committees on Appropriations Subcommittee on General Government; and Appropriations; **SB 292** was withdrawn from the Committees on Appropriations Subcommittee on Education; and Appropriations; **CS for SB's 332, 1912 and 2678** was withdrawn from the Committee on Governmental Oversight and Productivity; **CS for CS for SB 448, CS for SB 1062 and CS for SB 2138** were withdrawn from the Committees on Appropriations Subcommittee on Health and Human Services; and Appropriations; **CS for SB 606 and SB 2112** were withdrawn from the Committee on Appropriations; **CS for SB 1172** was withdrawn from the Committee on Appropriations Subcommittee on Transportation and Economic Development; **CS for CS for CS for SB 1214, CS for CS for SB 2020, SM 2818 and SM 3100** were withdrawn from the Committee on Rules and Calendar; **CS for SB's 1228 and 2080 and SB 1900** were withdrawn from the Committee on Appropriations Subcommittee on Education; **CS for SB 1280 and CS for SB 1590** were withdrawn from the Committee on Appropriations Subcommittee on Health and Human Services; **SB 1952** was withdrawn from the Committees on Appropriations Subcommittee on Article V Implementation and Judiciary; and Appropriations; and **CS for SB 1458** was withdrawn from the Committee on Appropriations Subcommittee on Education.

On motion by Senator Wise, by two-thirds vote **SB 346, SB 628, SB 692, SB 706, SB 1068, SB 1876, SB 1920, SB 2558 and SB 2570** were withdrawn from the committees of reference and further consideration.

On motion by Senator Klein, by two-thirds vote **SB 1106** was withdrawn from the committees of reference and further consideration.

### MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator Lee, the rules were waived and the Committee on Finance and Taxation was granted permission to add **CS for SB 2528** to the agenda at the meeting on April 20; the Committee on Appropriations was granted permission to add **CS for SB 1458** to the agenda at the meeting on April 20; and the Committee on Banking and Insurance was granted permission to add **SB 2090, CS for SB 2092 and SB 2122** to the agenda at the meeting on April 20.

### BILLS ON THIRD READING

**SB 2484**—A bill to be entitled An act relating to citrus canker; amending s. 120.80, F.S.; excluding certain statements and actions by the Department of Agriculture and Consumer Services from application of certain rules; creating s. 933.40, F.S.; providing definitions; providing for issuance of agriculture warrants for certain purposes under certain circumstances; requiring probable cause; providing criteria procedures for issuing such warrants; providing certain guidelines and limitations on required notice; providing for ex parte hearing for certain warrant applications; providing a time limit on the effectiveness of certain warrants; providing a criminal penalty for refusal to permit execution of a warrant; prohibiting certain persons from giving certain information as a confidential informant under certain circumstances; providing construction; amending s. 581.184, F.S.; authorizing the destruction of certain trees; providing a notice requirement to certain property owners; preempting regulation of tree removal and destruction to the state; providing an effective date.

—was read the third time by title.

On motion by Senator Alexander, **SB 2484** was passed and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Crist	Lynn
Alexander	Dawson	Miller
Argenziano	Diaz de la Portilla	Peadar
Aronberg	Dockery	Posey
Atwater	Fasano	Pruitt
Bennett	Garcia	Saunders
Campbell	Haridopolos	Sebesta
Carlton	Hill	Siplin
Clary	Jones	Smith
Constantine	Lawson	Villalobos
Cowin	Lee	Webster

Nays—3

Geller	Klein	Wilson
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Vote after roll call:

Nay—Wasserman Schultz

Nay to Yea—Klein

**HB 595**—A bill to be entitled An act relating to consumer services; amending s. 493.6101, F.S.; expanding the definition of the term "repossession" for purposes of the regulation of repossession services; amending s. 493.6102, F.S.; revising the applicability of ch. 493, F.S., governing private investigative, private security, and repossession services; amending s. 493.6110, F.S.; revising insurance requirements for licensure under chapter 493, F.S., and providing insurance requirements with respect to Class "B" security agencies; amending s. 493.6118, F.S.; revising the grounds for discipline of persons or entities that are licensed as, or applicants for licensure as, a recovery agency, recovery agent, and recovery agent intern under such chapter; providing an effective date.

—as amended April 15 was read the third time by title.

On motion by Senator Garcia, **HB 595** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Saunders
Bennett	Haridopolos	Sebesta
Campbell	Hill	Siplin
Carlton	Jones	Smith
Clary	Klein	Villalobos
Constantine	Lawson	Wasserman Schultz
Cowin	Lee	Webster
Crist	Lynn	Wilson
Dawson	Margolis	

Nays—None

**SB 2046**—A bill to be entitled An act relating to adoption; amending s. 39.812, F.S.; restricting the ability of the Department of Children and Family Services to remove a child from the home of a foster parent or court-ordered custodian under certain circumstances; providing an exception to a requirement that a department consent be attached to an adoption petition; amending s. 63.062, F.S.; requiring a waiver of department consent under certain circumstances; providing an effective date.

—as amended April 15 was read the third time by title.

On motion by Senator Campbell, **SB 2046** as amended was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Saunders
Bennett	Haridopolos	Sebesta
Campbell	Hill	Siplin
Carlton	Jones	Villalobos
Clary	Klein	Wasserman Schultz
Constantine	Lawson	Webster
Cowin	Lee	Wilson
Crist	Lynn	
Dawson	Margolis	

Nays—1

Smith

**HB 495**—A bill to be entitled An act relating to protective injunctions from repeat, sexual, and dating violence; amending s. 784.046, F.S.; providing that a petitioner for an injunction for protection against sexual violence may list the address of his or her current residence in a separate confidential filing in certain circumstances; revising requirements relating to documents filed in support of such petition; deleting a provision providing for service of the petition, notice of hearing, and any temporary injunction in circumstances where the respondent is in the custody of the Department of Corrections; deleting a provision authorizing service by a correctional officer and specifying the circumstances of such service; revising a cross reference to conform; amending ss. 784.047, and 784.08, F.S.; clarifying cross references to conform; amending s. 901.15, F.S.; deleting a provision authorizing an officer to make an arrest without a warrant in certain circumstances; amending s. 20.165, F.S.; revising a cross reference to conform; providing an effective date.

—was read the third time by title.

On motion by Senator Crist, **HB 495** was passed and certified to the House. The vote on passage was:

Yeas—37

Alexander	Aronberg	Bennett
Argenziano	Atwater	Campbell

Carlton	Haridopolos	Pruitt
Clary	Hill	Saunders
Constantine	Jones	Sebesta
Cowin	Klein	Siplin
Crist	Lawson	Smith
Dawson	Lee	Villalobos
Diaz de la Portilla	Lynn	Wasserman Schultz
Dockery	Margolis	Webster
Fasano	Miller	Wilson
Garcia	Peaden	
Geller	Posey	
Nays—None		

**CS for CS for CS for SB 1764**—A bill to be entitled An act relating to a limitation of liability for donated firefighting equipment; creating s. 768.1315, F.S.; providing a short title; providing definitions; providing that a state agency or political subdivision, or an officer, employee, or agent thereof, is not liable for civil damages resulting from personal injuries, property damage, or death proximately caused by defective fire control or fire rescue equipment donated to a volunteer fire department; providing certain exceptions to the limitation on liability; providing an effective date.

—was read the third time by title.

On motion by Senator Lynn, **CS for CS for CS for SB 1764** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Saunders
Bennett	Haridopolos	Sebesta
Campbell	Hill	Siplin
Carlton	Jones	Smith
Clary	Klein	Villalobos
Constantine	Lawson	Wasserman Schultz
Cowin	Lee	Webster
Crist	Lynn	Wilson
Dawson	Margolis	

Nays—None

**CS for CS for SB 1530**—A bill to be entitled An act relating to cosmetology; amending s. 477.0135, F.S.; exempting from cosmetology licensure the provision of certain services to certain persons during a production recognized by the Office of Film and Entertainment; providing that such services are not required to be performed in a licensed salon; prohibiting provision of such services to the general public; exempting from cosmetology licensure the provision of certain services to certain persons in a theme park or entertainment complex; amending s. 477.016, F.S.; authorizing the Board of Cosmetology to adopt by rule certain federal regulations; amending s. 477.0265, F.S.; prohibiting in the practice of cosmetology the use or possession of cosmetic products containing liquid nail monomers containing methyl methacrylate; providing penalties; reenacting s. 477.029(1)(h) and (2), F.S., relating to grounds for administrative penalties, to incorporate the amendment to s. 477.0265, F.S., in a reference thereto; providing administrative penalties; providing an effective date.

—as amended April 15 was read the third time by title.

On motion by Senator Sebesta, **CS for CS for SB 1530** as amended was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Aronberg	Campbell
Alexander	Atwater	Carlton
Argenziano	Bennett	Clary

Constantine	Hill	Saunders
Cowin	Jones	Sebesta
Crist	Klein	Siplin
Dawson	Lawson	Smith
Diaz de la Portilla	Lee	Villalobos
Dockery	Lynn	Wasserman Schultz
Fasano	Miller	Webster
Garcia	Peaden	Wilson
Geller	Posey	
Haridopolos	Pruitt	

Nays—None

**CS for CS for SB 284**—A bill to be entitled An act relating to video voyeurism; creating s. 810.145, F.S.; providing definitions; prohibiting a person from secretly viewing, recording, or broadcasting images of another person for the purpose of entertainment, sexual arousal, profit, or abuse when that other person is in a location that provides a reasonable expectation of privacy; prohibiting a person from secretly filming, recording, or broadcasting images of another person under or through that other person's clothing for the purpose of viewing that other person's body or undergarments without knowledge and consent of the person viewed; prohibiting a person from disseminating images when the person disseminating the images knows or has reason to believe that the images were recorded in violation of law; prohibiting a person from selling images to another for consideration when the person selling the images knows or has reason to believe that the images were recorded in violation of law; prohibiting a person from disseminating images that were recorded in violation of law to another person for that person to sell the images to others; providing for certain exceptions; providing criminal penalties; defining a previous conviction or adjudication of delinquency; amending s. 932.701, F.S.; defining the term "contraband article" to include any imaging equipment, format, or device used in violation of law; amending s. 932.7055, F.S.; requiring agencies seizing images of persons recorded in violation of law to destroy the images; providing that the seizing agency may not retain or sell the images; amending s. 932.707, F.S.; conforming a cross-reference; reenacting ss. 705.101(6) and 932.703(4), F.S., relating to definitions of lost or abandoned property and the seizure of a vessel, motor vehicle, aircraft, other personal property, or real property in or on which a contraband article is located, to incorporate the amendment to s. 932.701, F.S., in references thereto; amending s. 877.26, F.S.; providing a limited exception to a prohibition against a merchant observing customers in dressing, fitting, or changing rooms or restrooms; providing an effective date.

—as amended April 15 was read the third time by title.

On motion by Senator Aronberg, **CS for CS for SB 284** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Saunders
Bennett	Haridopolos	Sebesta
Campbell	Hill	Siplin
Carlton	Jones	Smith
Clary	Klein	Villalobos
Constantine	Lawson	Wasserman Schultz
Cowin	Lee	Webster
Crist	Lynn	Wilson
Dawson	Margolis	

Nays—None

**CS for SB 558**—A bill to be entitled An act relating to automated telephone answering systems; creating s. 282.108, F.S.; defining terms; requiring state agencies and agents acting on behalf of a state agency to provide during specified hours an option, during the first minute of a call answered by an automated telephone answering system, which permits callers to reach an employee; requiring allocation of at least two phone

lines for certain responsibilities; requiring on-hold times to be monitored; providing exceptions for nonoperational hours; providing an exception for the "511" traveler information system; prohibiting a state agency or agent employee from using an automated telephone answering system except under specified circumstances; requiring the State Technology Office to adopt rules that require the submission of annual reports; requiring the State Technology Office to submit annual reports to the Governor and the Legislature; providing that no cause of action arises due to a failure to comply with the act; repealing s. 110.1082, F.S., relating to telephone voice mail systems and telephone menu options; providing an effective date.

—was read the third time by title.

On motion by Senator Bennett, **CS for SB 558** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Garcia	Pruitt
Aronberg	Geller	Saunders
Atwater	Haridopolos	Sebesta
Bennett	Hill	Siplin
Campbell	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	
Dawson	Miller	

Nays—None

Vote after roll call:

Yea—Fasano

**CS for CS for SB 2038**—A bill to be entitled An act relating to insurance; amending s. 20.121, F.S.; requiring the Division of Consumer Services of the Department of Financial Services to designate an employee as primary contact for consumers on issues involving sinkholes; amending s. 501.137, F.S.; requiring an insurer to reinstate, under certain circumstances, an insurance policy that is cancelled due to failure of the lender to pay a premium for which sufficient escrow funds are on deposit; requiring that the lender reimburse the property owner for any penalties or fees paid for purposes of reinstating the policy; requiring the lender to pay the increased cost of insurance premiums for a specified period of time under certain conditions; amending s. 624.4622, F.S.; providing that a local government self-insurance fund must initially be organized as a commercial self-insurance fund or a group self-insurance fund and, for a specified period, must comply with the requirements for such a fund; providing that a local government self-insurance fund comply with specified provisions relating to financial statements; amending s. 624.610, F.S.; revising the requirements of a trust fund for a single assuming insurer; amending s. 625.081, F.S.; providing an exception for credit disability insurance from a health insurance active life reserve requirement; amending s. 625.121, F.S.; providing for valuation of life insurance policies; amending s. 626.321, F.S.; limiting the types of business that may be transacted by personal lines agents; creating s. 626.9743, F.S., relating to claim settlement practices for motor vehicle insurance; prescribing standards to be followed by insurers; creating s. 626.9744, F.S., relating to claim settlement practices for homeowners' insurance; prescribing standards to be followed by insurers; amending s. 627.311, F.S.; allowing the automobile insurance joint underwriting plan to require additional proof from insureds regarding cancellation of coverage; allowing additional time for the investigation of claims against the plan; providing for expiration of the provision; amending s. 627.4091, F.S.; providing additional disclosure requirements with respect to a refusal to insure; amending s. 627.4133, F.S.; requiring property insurers to reinstate a canceled policy as required by s. 501.137, F.S.; restricting the use of certain claims as a cause for cancellation or nonrenewal; amending s. 627.476, F.S.; authorizing the use of certain mortality tables for purposes of the Standard Nonforfeiture Law for Life Insurance; creating s. 627.7077, F.S.; providing for a feasibility study for a proposed Florida Sinkhole Insurance Facility; amending s. 627.838, F.S.; deleting

a filing fee; amending s. 627.848, F.S.; specifying provisions for cancellation of insurance contracts; amending s. 627.849, F.S., to conform to the elimination of a filing fee; providing for a study and report by the Florida State University College of Business on personal lines property and casualty insurance; repealing s. 625.131, F.S., relating to credit life and disability policies; providing for construction of the act; providing effective dates.

—as amended April 15 was read the third time by title.

## MOTION

On motion by Senator Fasano, the rules were waived to allow the following amendment to be considered:

Senator Fasano moved the following amendment which was adopted by two-thirds vote:

**Amendment 1 (321086)**—On page 6, lines 21 and 22, delete those lines and insert: *1, 2004, shall initially be subject to the requirements of a commercial*

## MOTION

On motion by Senator Posey, the rules were waived to allow the following amendment to be considered:

Senator Posey moved the following amendment which was adopted by two-thirds vote:

**Amendment 2 (283730)**—On page 15, line 25 through page 16, line 2, delete those lines and insert:

Section 7. Paragraphs (c) and (d) of subsection (1) of section 626.321, Florida Statutes, are amended to read:

626.321 Limited licenses.—

(1) The department shall issue to a qualified individual, or a qualified individual or entity under paragraphs (c), (d), (e), and (i), a license as agent authorized to transact a limited class of business in any of the following categories:

(c) Personal accident insurance.—License covering only policies of personal accident insurance covering the risks of travel, except as provided in subparagraph 2. The license may be issued only:

1. To a full-time salaried employee of a common carrier or a full-time salaried employee or owner of a transportation ticket agency and may authorize the sale of such ticket policies only in connection with the sale of transportation tickets, or to the full-time salaried employee of such an agent. No such policy shall be for a duration of more than 48 hours or for the duration of a specified one-way trip or round trip.

2. To a full-time salaried employee of a business which offers motor vehicles for rent or lease, or to a business ~~entity office of a business~~ which offers motor vehicles for rent or lease ~~if insurance sales activities authorized by the license are limited to full-time salaried employees.~~ A business office licensed or a person licensed pursuant to this subparagraph may, as an agent of an insurer, transact insurance that provides coverage for accidental personal injury or death of the lessee and any passenger who is riding or driving with the covered lessee in the rental motor vehicle if the lease or rental agreement is for not more than 30 days, or if the lessee is not provided coverage for more than 30 consecutive days per lease period; however, if the lease is extended beyond 30 days, the coverage may be extended one time only for a period not to exceed an additional 30 days.

## MOTION

On motion by Senator Fasano, the rules were waived to allow the following amendment to be considered:

Senator Fasano moved the following amendment which was adopted by two-thirds vote:

**Amendment 3 (640110)(with title amendment)**—On page 5, before line 1, insert:

Section 2. Paragraph (a) of subsection (7) of section 440.107, Florida Statutes, is amended to read:

440.107 Department powers to enforce employer compliance with coverage requirements.—

(7)(a) Whenever the department determines that an employer who is required to secure the payment to his or her employees of the compensation provided for by this chapter has failed to secure the payment of workers' compensation required by this chapter or to produce the required business records under subsection (5) within 5 business days after receipt of the written request of the department, such failure shall be deemed an immediate serious danger to public health, safety, or welfare sufficient to justify service by the department of a stop-work order on the employer, requiring the cessation of all business operations. If the department makes such a determination, the department shall issue a stop-work order within 72 hours. The order shall take effect when served upon the employer or, for a particular employer work site, when served at that work site. In addition to serving a stop-work order at a particular work site which shall be effective immediately, the department shall immediately proceed with service upon the employer which shall be effective upon all employer work sites in the state for which the employer is not in compliance. A stop-work order may be served with regard to an employer's work site by posting a copy of the stop-work order in a conspicuous location at the work site. The order shall remain in effect until the department issues an order releasing the stop-work order upon a finding that the employer has come into compliance with the coverage requirements of this chapter and has paid any penalty assessed under this section. *The department may issue an order of conditional release from a stop-work order to an employer upon a finding that the employer has complied with coverage requirements of this chapter and has agreed to remit periodic payments of the penalty pursuant to a payment agreement schedule with the department. If an order of conditional release is issued, failure by the employer to meet any term or condition of such penalty payment agreement shall result in the immediate reinstatement of the stop-work order and the entire unpaid balance of the penalty shall become immediately due.* The department may require an employer who is found to have failed to comply with the coverage requirements of s. 440.38 to file with the department, as a condition of release from a stop-work order, periodic reports for a probationary period that shall not exceed 2 years that demonstrate the employer's continued compliance with this chapter. The department shall by rule specify the reports required and the time for filing under this subsection.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 7, after the first semicolon (;) insert: *authorizing the department to issue an order of conditional release from a stop-work order if an employer complies with coverage requirements and a penalty payment agreement;*

On motion by Senator Fasano, **CS for CS for SB 2038** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peadar
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Saunders
Bennett	Haridopolos	Sebesta
Campbell	Hill	Siplin
Carlton	Jones	Smith
Clary	Klein	Villalobos
Constantine	Lawson	Wasserman Schultz
Cowin	Lee	Webster
Crist	Lynn	Wilson
Dawson	Margolis	

Nays—None

**SB 2056**—A bill to be entitled An act relating to corporations not for profit; amending s. 617.0505, F.S.; providing exceptions to a prohibition

against such corporations paying dividends to members, officers, or directors; authorizing a corporation to make distributions to certain non-profit corporations or governmental entities; providing an effective date.

—was read the third time by title.

On motion by Senator Aronberg, **SB 2056** was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Saunders
Bennett	Haridopolos	Sebesta
Campbell	Hill	Siplin
Carlton	Jones	Smith
Clary	Lawson	Villalobos
Constantine	Lee	Wasserman Schultz
Crist	Lynn	Webster
Dawson	Margolis	Wilson

Nays—None

Vote after roll call:

Yea—Cowin, Klein

Consideration of **CS for SB 2334** was deferred.

## REPORTS OF COMMITTEES

The Committee on Military and Veterans' Affairs, Base Protection, and Spaceports recommends the following pass: **CS for SB's 1228 and 2080 with 1 amendment**

**The bill was referred to the Appropriations Subcommittee on Education under the original reference.**

The Committee on Military and Veterans' Affairs, Base Protection, and Spaceports recommends the following pass: **SB 2446**

**The bill was placed on the calendar.**

The Committee on Finance and Taxation recommends a committee substitute for the following: **CS for CS for SB 2488**

The Committee on Finance and Taxation recommends a committee substitute for the following: **CS for SB 2826**

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Appropriations Subcommittee on General Government under the original reference.**

The Committee on Military and Veterans' Affairs, Base Protection, and Spaceports recommends a committee substitute for the following: **SM 2522**

**The bill with committee substitute attached was referred to the Committee on Commerce, Economic Opportunities, and Consumer Services under the original reference.**

The Committee on Appropriations recommends a committee substitute for the following: **CS for SB 1154 and CS for SB 1462**

**The bill with committee substitute attached was referred to the Committee on Criminal Justice under the original reference.**

The Committee on Military and Veterans' Affairs, Base Protection, and Spaceports recommends a committee substitute for the following: **SB 2580**

**The bill with committee substitute attached was referred to the Committee on Finance and Taxation under the original reference.**

The Committee on Comprehensive Planning recommends a committee substitute for the following: **SB 2014**

**The bill with committee substitute attached was referred to the Committee on Health, Aging, and Long-Term Care under the original reference.**

The Committee on Appropriations recommends a committee substitute for the following: **SB 1248**

**The bill with committee substitute attached was referred to the Committee on Rules and Calendar under the original reference.**

The Committee on Appropriations recommends a committee substitute for the following: **SB 1738**

The Committee on Finance and Taxation recommends a committee substitute for the following: **CS for CS for SB 1624**

**The bills with committee substitutes attached contained in the foregoing reports were placed on the calendar.**

## COMMITTEE SUBSTITUTES

### FIRST READING

By the Committees on Appropriations; Health, Aging, and Long-Term Care; and Senators Peaden and Jones—

**CS for CS for SB 1154 and CS for SB 1462**—A bill to be entitled An act relating to a health care practitioner workforce database; creating s. 381.03015, F.S.; providing legislative intent with respect to a health care practitioner workforce database; providing definitions; creating the Florida Health Care Practitioner Workforce Database within the Department of Health; authorizing the database to be implemented in stages; giving priority in the database for information concerning allopathic and osteopathic physicians; specifying data elements of allopathic and osteopathic physicians for inclusion in the database; requiring that data for the health care practitioner workforce database be gathered from existing data sources; requiring certain entities to provide data elements to the department; authorizing the department to create an advisory committee; requiring the department to adopt rules; providing that the act will not take effect unless funds are specifically appropriated for this purpose; prohibiting the use of a specified trust fund to administer the act; amending s. 456.039, F.S.; revising the requirements for updating the information submitted by designated health care professionals for licensure and license renewal; authorizing the Department of Health to receive automated criminal arrest information concerning health care professionals who are subject to the profiling requirements; requiring certain health professionals to submit fingerprints to the Department of Health and to pay fees for a criminal history records check; amending s. 456.0391, F.S.; revising the requirements for information submitted by advanced registered nurse practitioners for certification; authorizing the Department of Health to receive automated criminal arrest information concerning health care professionals who are subject to the profiling requirements; requiring certain health professionals to submit fingerprints to the Department of Health and to pay fees for a criminal history records check; requiring applications for a physician license and license renewal to be submitted electronically by a specified date; amending s. 456.042, F.S.; requiring designated health care practitioners to electronically submit updates of required information for compilation into practitioner profiles; amending s. 456.051, F.S.; revising requirements for the Department of Health to publish reports of claims or actions for damages for certain health care practitioners on the practitioner profiles; amending ss. 458.319, 459.008, 460.407, and 461.007,

F.S.; revising requirements for physician licensure renewal; authorizing the Department of Health to gain access to renewal applicants' records in an automated system maintained by the Department of Law Enforcement; amending s. 461.014, F.S.; providing that each hospital annually provide a list of podiatric residents; providing an appropriation; providing an effective date.

By the Committee on Appropriations; and Senator Pruitt—

**CS for SB 1248**—A bill to be entitled An act relating to the management of state financial matters; amending s. 14.2015, F.S.; requiring the Office of Tourism, Trade, and Economic Development and the Florida Commission on Tourism to advise and consult with the Consensus Estimating Conference principals concerning certain duties; amending s. 45.062, F.S.; requiring that certain legislative officers and the Attorney General receive prior notice concerning settlement negotiations and pre-settlement agreements or orders; specifying that such notice is a condition precedent to an agency's authority to enter into such an agreement; providing certain exceptions; requiring that moneys paid in settlement of a legal action be placed unobligated into the General Revenue Fund or an appropriate trust fund; prohibiting payment outside the State Treasury except in settlement of a personal injury claim; requiring that certain legislative officers and the Attorney General receive prior notice concerning certain settlements involving a state agency or officer; amending s. 110.1245, F.S., relating to a savings sharing program; correcting a reference; amending s. 215.32, F.S.; requiring state agencies to use trust funds for specified purposes, to the extent possible; authorizing an agency to request the creation of a necessary trust fund; revising requirements and uses of the Working Capital Fund; amending s. 215.5601, F.S., relating to the Lawton Chiles Endowment Fund; revising provisions governing appropriations to the fund; requiring that certain undisbursed balances be retained in the Biomedical Research Trust Fund; amending ss. 215.93 and 215.94, F.S., relating to the Florida Financial Management Information System; revising duties of the Financial Management Information Board and the functional owners of the information subsystems; requiring the Auditor General to provide technical advice; amending s. 215.97, F.S., relating to the Florida Single Audit Act; revising and providing definitions; revising the uniform state audit requirements for state financial assistance that is provided by state agencies to nonstate entities; requiring the Department of Financial Services to adopt rules and perform additional duties with respect to the provision of financial assistance to carry out state projects; specifying duties of coordinating agencies; amending s. 216.011, F.S.; revising definitions applicable to the fiscal affairs of the state; defining the terms "mandatory reserve," "budget reserve," "activity," and "statutorily authorized entity"; amending s. 216.013, F.S.; revising requirements for the long-range program plans developed by state agencies; providing for submitting such plans on an alternate date under certain circumstances; revising the date for making adjustments; amending s. 216.023, F.S., relating to legislative budget requests; providing alternate dates for submitting such requests under certain circumstances; providing requirements for a request to outsource or privatize agency functions; deleting certain requirements for performance-based program budget requests; amending s. 216.031, F.S.; revising requirements for target budget requests; repealing s. 216.052(2), (3), (8), and (9), F.S., relating to community budget requests and a revolving loan program; repealing s. 216.053(5), F.S., relating to summary information concerning performance-based program budgets; amending s. 216.065, F.S.; requiring that a fiscal impact statement provided to the legislative appropriations committees contain information concerning subsequent fiscal years; amending s. 216.081, F.S.; providing data requirements for the Governor's recommended budget under certain circumstances; repealing s. 216.136(7) and (8), F.S., relating to the Child Welfare System Estimating Conference and the Juvenile Justice Estimating Conference; amending s. 216.162, F.S.; revising the date for the Governor to submit the recommended budget for the state; amending s. 216.167, F.S.; deleting references to the Working Capital Fund to conform to changes made by the act; amending s. 216.168, F.S.; deleting provisions exempting the Governor from a requirement to submit amended recommendations; amending s. 216.177, F.S.; revising requirements for a request for additional information concerning the legislative intent of appropriations acts and for notifying the Legislature of actions taken under ch. 216, F.S., and funds expended in settlement of agency litigation; amending s. 216.181, F.S.; requiring approval of certain amendments to an approved operating budget by the Legislative Budget Commission; clarifying provisions with respect to the notice required for the transfer of

lump-sum appropriations; revising requirements for determining salary rates; authorizing the Legislative Budget Commission to approve salary rates; deleting certain notice requirements; requiring that the legislative appropriations committees approve certain nonoperating budgets; deleting certain notice requirements; deleting a provision authorizing the advancement of specified funds appropriated to the Department of Children and Family Services and the Department of Health; repealing ss. 216.1825 and 216.183, F.S., relating to the use of zero-based budgeting principles and performance-based program budgets; amending s. 216.192, F.S.; deleting provisions authorizing the legislative appropriations committees to provide advice regarding the release of funds; authorizing the Executive Office of the Governor and the Chief Justice to place appropriations in mandatory reserve or budget reserve; amending s. 216.195, F.S.; deleting certain notice and review requirements for the impoundment of funds; amending s. 216.221, F.S.; authorizing the Legislature to direct the use of any state funds in an appropriations act; revising requirements for adjusting budgets in order to avoid or eliminate a deficit; revising procedures for certifying a budget deficit; revising requirements for the Governor and the Chief Justice in developing plans of action; requiring that the Legislative Budget Commission implement certain reductions in appropriations; revising requirements for resolving deficits; requiring that certain actions to resolve a deficit be approved by the Legislative Budget Commission; amending s. 216.231, F.S., relating to the release of classified appropriations; conforming provisions to changes made by the act; amending s. 216.235, F.S., relating to the Innovation Investment Program; correcting references; limiting the funding of certain proposals under the program; amending s. 216.241, F.S.; requiring that the initiation or commencement of new programs be approved by the Legislative Budget Commission; deleting certain notice requirements; limiting certain other actions and budget adjustments by a state agency or the judicial branch without the approval of the Legislature or the Legislative Budget Commission; amending s. 216.251, F.S.; correcting a reference; revising requirements for establishing certain salaries; amending s. 216.262, F.S.; requiring the Legislative Budget Commission to approve certain increases in the number of positions; deleting provisions authorizing an agency to retain salary dollars under certain circumstances; amending s. 216.292, F.S.; revising provisions limiting the transferability of appropriations; prohibiting spending fixed capital outlay for other purposes; prohibiting transferring appropriations except as otherwise provided by law; providing certain exceptions; amending s. 216.301, F.S.; revising requirements for continuing unexpended balances of appropriations for fixed capital outlay; requiring approval by the Executive Office of the Governor; authorizing the President of the Senate and the Speaker of the House of Representatives to provide for the retention of certain balances from legislative budget entities; amending s. 216.341, F.S.; exempting certain positions within the Department of Health from limitations on the number of authorized positions; repealing s. 218.60(3), F.S., relating to estimates made by the revenue estimating conference and provided to local governments; amending ss. 252.37 and 265.55, F.S.; deleting certain references to the Working Capital Fund to conform to changes made by the act; amending s. 255.25001, F.S.; changing competitive bidding to competitive solicitation; amending s. 255.2501, F.S.; providing criteria for leasing space financed by local government obligations; repealing s. 288.1234, F.S., relating to the Olympic Games Guaranty Account within the Economic Development Trust Fund; amending s. 320.20, F.S.; providing duties of the Chief Financial Officer with respect to the deposit of certain trust fund moneys based on anticipated annual revenues; amending s. 339.135, F.S.; revising requirements for the tentative work programs submitted by state agencies; requiring that the Legislative Budget Commission approve certain extensions of spending authority; revising requirements for amending certain work programs; amending s. 381.0303, F.S.; authorizing the Department of Health to obtain reimbursement for special needs shelters from unappropriated moneys in the General Revenue Fund; repealing s. 393.22(1), F.S., relating to a prohibition on transferring certain funds appropriated for developmental services programs; amending s. 409.906, F.S.; deleting provisions authorizing the Department of Children and Family Services to transfer certain funds in excess of the amount specified in the General Appropriations Act; repealing s. 409.912(11)(b), F.S., relating to the transfer of certain funds from the Department of Elderly Affairs to the Agency for Health Care Administration; amending ss. 468.392 and 475.484, F.S.; deleting provisions exempting funds in the Auctioneer Recovery Fund and the Real Estate Recovery Fund from limitations imposed by an appropriation act; amending s. 921.001, F.S.; requiring the Legislature to make certain determinations with respect to legislation that affects the prison population; amending s. 1009.536, F.S.; deleting duties of the Workforce Esti-

mating Conference with respect to certain career education programs; providing effective dates.

By the Committees on Appropriations; Criminal Justice; and Senator Haridopolos—

**CS for CS for SB 1376**—A bill to be entitled An act relating to habitual misdemeanor offenders; creating s. 775.0837, F.S.; providing definitions; specifying alternatives for sentencing a habitual misdemeanor offender; providing that such alternatives are imprisonment, commitment, or detention; specifying a minimum and maximum time period for such alternatives; providing criminal penalties; limiting the applicability of the sentencing alternatives; providing an effective date.

By the Committees on Finance and Taxation; Governmental Oversight and Productivity; Banking and Insurance; and Senator Sebesta—

**CS for CS for CS for SB 1624**—A bill to be entitled An act relating to banking regulation; amending s. 494.0011, F.S.; authorizing the Financial Services Commission to require electronic submission of forms, documents, or fees; providing for a technological or financial hardship accommodation; providing application; amending s. 494.0016, F.S.; authorizing the commission to prescribe requirements for destroying books, accounts, records, and documents; authorizing the commission to recognize alternative statutes of limitation for such destruction; providing for procedures; amending s. 494.0029, F.S.; specifying criteria for receipt of certain applications; specifying certain permits as not transferable or assignable; amending s. 494.00295, F.S.; revising provisions to specify continuing education for certain professions; amending s. 494.003, F.S.; clarifying application of an exemption from application of certain mortgage broker licensure requirements to certain entities; amending s. 494.0031, F.S.; requiring licensure of mortgage brokerage businesses; specifying criteria for receipt of certain applications; authorizing the commission or the Office of Financial Regulation to require certain information from certain applicants; revising certain fingerprinting requirements; authorizing the commission to prescribe fees and procedures for processing fingerprints; authorizing the office to contract for certain fingerprinting services; specifying certain licenses as non-transferable or nonassignable; amending s. 494.0033, F.S.; clarifying mortgage broker licensure requirements; authorizing the commission to waive certain examination requirements under certain circumstances; authorizing the commission to prescribe certain additional testing fees; revising certain fingerprinting requirements; authorizing the commission to prescribe fees and procedures for processing fingerprints; authorizing the office to contract for certain fingerprinting services; specifying criteria for receipt of certain applications; deleting certain provisions relating to cancellation and reinstatement of licenses; amending s. 494.0034, F.S.; clarifying the commission's authorization to prescribe license renewal forms; amending s. 494.0036, F.S.; clarifying provisions relating to issuance of mortgage brokerage business branch office licenses; specifying criteria for receipt of certain applications; amending s. 494.0041, F.S.; specifying an additional ground for disciplinary action; amending s. 494.006, F.S.; clarifying application of an exemption from application of certain mortgage lender licensure requirements to certain entities; amending s. 494.0061, F.S.; requiring licensure of mortgage lenders; specifying criteria for receipt of certain applications; revising certain fingerprinting requirements; authorizing the commission to prescribe fees and procedures for processing fingerprints; authorizing the office to contract for certain fingerprinting services; deleting certain provisions relating to cancellation and reinstatement of licenses; authorizing the commission to waive certain examination requirements under certain circumstances; authorizing the commission to prescribe certain additional testing fees; amending s. 494.0064, F.S.; clarifying a reference to professional continuing education for certain licensees; amending s. 494.0065, F.S.; specifying criteria

for receipt of certain applications; specifying certain education and testing requirements for certain principal representatives and for certain applications or transfer applications; authorizing the commission to waive certain examination requirements under certain circumstances; authorizing the commission to prescribe certain additional testing fees; increasing a license transfer fee; revising certain fingerprinting requirements; authorizing the commission to prescribe fees and procedures for processing fingerprints; authorizing the office to contract for certain fingerprinting services; requiring mortgage lenders to designate a principal representative; providing criteria and requirements; amending s. 494.0066, F.S.; clarifying branch office licensure requirements; amending s. 494.0067, F.S.; clarifying reference to professional continuing education requirements; amending s. 494.0072, F.S.; providing an additional ground for disciplinary action; amending s. 494.00721, F.S.; correcting cross-references; amending s. 516.03, F.S.; specifying criteria for receipt of certain applications; authorizing the commission to require electronic submission of forms, documents, or fees; providing for a technological or financial hardship accommodation; amending s. 516.07, F.S.; providing an additional ground for disciplinary action; amending s. 516.12, F.S.; authorizing the commission to prescribe certain minimum information in a licensee's books, accounts, records, and documents; authorizing the commission to prescribe requirements for destroying books, accounts, records, and documents; authorizing the commission to recognize alternative statutes of limitation for such destruction; providing for procedures; amending s. 517.061, F.S.; revising provisions related to exempt transactions; amending ss. 517.051, 517.081, F.S.; revising standards for accounting principles to be used in preparing certain financial statements; amending s. 517.12, F.S.; revising provisions for taking and submitting fingerprints of dealers, associated persons, and similarly situated persons; revising provisions relating to expiration and renewal of registration of such persons; providing an exemption from registration requirements for a Canadian dealer and an associated person who represents a Canadian dealer under certain conditions; providing for notice filing by a Canadian dealer under certain conditions; authorizing the Office of Financial Regulation of the Financial Services Commission to issue a permit to evidence the effectiveness of a notice filing for a Canadian dealer; providing for the renewal of a notice filing by a Canadian dealer; providing for reinstatement of a notice filing; providing obligations for a Canadian dealer who has given notice of filing; providing obligations for an associated person representing a Canadian dealer who has given notice of filing; providing for the termination of a notice of filing; providing for the collection of fees; amending s. 517.131, F.S.; revising conditions under which recovery can be made from the Securities Guaranty Fund; amending s. 517.141, F.S.; prescribing circumstances under which a claimant must reimburse the fund; amending s. 517.161, F.S.; providing an additional ground for revocation, restriction, or suspension of a registration; amending ss. 520.03, 520.32, 520.52, and 520.63, F.S.; specifying criteria for receipt of certain applications; amending s. 520.994, F.S.; authorizing the commission to require electronic submission of forms, documents, or fees; providing for a technological or financial hardship accommodation; amending s. 520.995, F.S.; providing an additional ground for disciplinary action; amending ss. 520.997 and 537.009, F.S.; authorizing the commission to prescribe certain minimum information in a licensee's books, accounts, records, and documents; authorizing the commission to prescribe requirements for destroying books, accounts, records, and documents; authorizing the commission to recognize alternative statutes of limitation for such destruction; providing for procedures; amending ss. 560.105 and 560.118, F.S.; authorizing the commission to require electronic submission of forms, documents, or fees; providing for a technological or financial hardship accommodation; amending s. 560.114, F.S.; providing an additional ground for disciplinary action; amending s. 560.121, F.S.; authorizing the commission to prescribe certain minimum information in a licensee's books, accounts, records, and documents; authorizing the commission to prescribe requirements for destroying books, accounts, records, and documents; authorizing the commission to recognize alternative statutes of limitation for such destruction; providing for procedures; decreasing the required time period for the office to retain certain reports, records, applications, and related information; amending s. 560.205, F.S.; revising certain fingerprinting requirements; authorizing the commission to prescribe fees and procedures for processing fingerprints; authorizing the office to contract for certain fingerprinting services; authorizing the commission to establish procedures for depositing fees and filing documents electronically; deleting a requirement that an applicant provide a list of certain vendors; requiring the reporting of certain changes of registration by written amendment; amending s. 560.207, F.S.; authorizing the commission to establish procedures for depositing fees and filing documents electronically; amending s.

560.210, F.S.; revising permissible investment requirements for certain registrants; amending ss. 560.211 and 560.310, F.S.; requiring notice to the office of the location of certain amended records; amending ss. 560.305 and 560.308, F.S.; authorizing the commission to establish procedures for depositing fees and filing documents electronically; amending s. 560.306, F.S.; revising certain fingerprinting requirements; authorizing the commission to prescribe fees and procedures for processing fingerprints; authorizing the office to contract for certain fingerprinting services; requiring the reporting of certain changes of registration by written amendment; specifying in general that accounting principles are those generally accepted in the United States; specifying commission authority by rules; creating s. 626.565, F.S.; requiring an agent of the Department of Insurance to dispose of records containing personal financial or health information of certain persons after the retention requirement has been met; requiring such disposition to protect the confidentiality of personal financial or health information; authorizing the department to adopt rules for the disposition of personal financial or health information; providing an effective date.

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By the Committee on Appropriations; and Senator Fasano—

**CS for SB 1738**—A bill to be entitled An act relating to limitations on actions to collect taxes; amending s. 95.091, F.S.; excluding certain tax liens relating to unentitled homestead exemptions from a 5-year expiration provision; including such liens under a 20-year expiration provision; providing an effective date.

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By the Committee on Comprehensive Planning; and Senator Wasserman Schultz—

**CS for SB 2014**—A bill to be entitled An act relating to public swimming pools; creating s. 514.0305, F.S.; requiring the pools to be enclosed by a barrier; establishing additional safety requirements; requiring inspections; providing penalties for violations; providing that attorney's fees and costs be awarded to the Department of Health at a hearing at which the department prevails; providing definitions and for application; providing for exceptions; amending s. 514.0115, F.S.; providing that certain condominiums and cooperatives must comply with specified requirements of law; providing an effective date.

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By the Committees on Finance and Taxation; Governmental Oversight and Productivity; Banking and Insurance; and Senator Alexander—

**CS for CS for CS for SB 2488**—A bill to be entitled An act relating to the Florida Hurricane Catastrophe Fund; amending s. 215.555, F.S.; redefining and defining terms; providing for the State Board of Administration to specify interest due on delinquent remittances; revising conditions of, amounts of, and procedures relating to reimbursement contracts; revising maximum rates of, procedures relating to, and types of insurance subject to emergency assessments; revising provisions relating to reinsurance; deleting expired provisions; providing effective dates.

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By the Committee on Military and Veterans' Affairs, Base Protection, and Spaceports; and Senator Jones—

**CS for SM 2522**—A memorial to the Congress of the United States, urging the United States Department of Defense to award the contract for the creation, development, and implementation of the Mobile User Objective System, known as MUOS, to the project team led by the Raytheon Corporation in partnership with Honeywell Space Systems, however, if the contract is awarded to another project team, the Florida Senate would be supportive of that decision.

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By the Committee on Military and Veterans' Affairs, Base Protection, and Spaceports; and Senator Diaz de la Portilla—

**CS for SB 2580**—A bill to be entitled An act relating to license plates; amending ss. 320.08056 and 320.08058, F.S.; creating an Adopt A Best

Friend license plate and a Florida National Guard license plate; providing for the distribution of annual use fees received from the sale of such plates; providing an effective date.

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By the Committees on Finance and Taxation; Judiciary; and Senator Lynn—

**CS for CS for SB 2826**—A bill to be entitled An act relating to public records; creating s. 409.25661, F.S.; exempting from public-records requirements certain records obtained by the Department of Revenue under an insurance claim data exchange system; providing for expiration of the exemption; providing for future legislative review and repeal; providing findings of public necessity; providing a contingent effective date.

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By the Committees on Appropriations; Commerce, Economic Opportunities, and Consumer Services; Agriculture; and Senators Alexander, Bullard, Dockery and Lynn—

**CS for CS for CS for SB 2954**—A bill to be entitled An act relating to migrant labor; amending s. 450.191, F.S.; authorizing the Executive Office of the Governor to advise and consult concerning improvements in the working conditions of migrant workers; authorizing the Executive Office of the Governor to provide coordination for farm labor registration, cooperate with the Department of Business and Professional Regulation on enforcing labor laws, and cooperate with the Agency for Workforce Innovation in recruiting migrant laborers; amending s. 450.201, F.S.; requiring the Legislative Commission on Migrant and Seasonal Labor to make appointments and hold its first meeting; amending s. 450.231, F.S.; specifying when the commission must report to the Legislature; amending s. 450.27, F.S.; renaming part III of ch. 450, F.S.; amending s. 450.271, F.S.; substituting the Department of Business and Professional Regulation for the Department of Labor and Employment Security as the entity authorized to administer the federal Migrant and Seasonal Agricultural Worker Protection Act; amending s. 450.28, F.S.; defining major and minor violations; amending s. 450.30, F.S.; requiring an applicant for renewal of a certificate of registration as a farm labor contractor to retake the competency examination when convicted of or penalized for committing a major violation within a specified time; depositing certain fees received from applicants for a certificate of registration into the Professional Regulation Trust Fund; amending s. 450.31, F.S.; increasing the application fee for a certificate of registration; revising payment requirements; requiring an applicant for a certificate of registration to designate an agent to receive service of process and documents; authorizing the department to revoke, suspend, or deny a certificate of registration under certain circumstances; providing that receipt of a certification of registration constitutes permission by the farm labor contractor for department personnel to inspect certain documents; creating s. 450.321, F.S.; authorizing the department to develop and implement a best practices incentive program for farm labor contractors; authorizing the department to enter a partnership agreement with a contractor regarding such designation; authorizing use of the designation to solicit business; authorizing revocation of designation and requiring cessation of use; prohibiting characterization of the designation as an endorsement by the department; exempting the department from civil liability; authorizing the department to establish an incentive program for contractors holding a valid designation; amending s. 450.33, F.S.; revising the powers of the department regarding revocation of a contractor's certificate of registration; adding maintenance of certain employee field records to the duties a contractor must perform; amending s. 450.34, F.S.; prohibiting a contractor from taking retaliatory action and from contracting with or employing certain persons who lack a valid certificate; amending s. 450.35, F.S.; prohibiting a person from contracting with or employing a farm labor contractor without a certificate of registration; providing penalties; amending s. 450.37, F.S.; authorizing the department to cooperate and enter into agreements with other state agencies; amending s. 450.38, F.S.; revising the penalties imposed for violations of part III of ch. 450, F.S.; clarifying applicability of penalties to a firm, association, or corporation; increasing the maximum civil penalty; authorizing civil penalties or the revocation of registration if a contractor commits one or more minor violations; creating s. 450.39, F.S.; prohibiting a farm labor contractor from requiring a farmworker to make certain purchases; prohibiting a contractor from charging a farmworker more than the reasonable cost for a commodity; amending s.

381.0087, F.S.; clarifying that a person who willfully refuses a citation commits a second-degree misdemeanor; requiring the Department of Health to notify the enforcing entity of suspected violations; amending s. 381.008, F.S.; defining the term “residential migrant housing” to include structures rented or reserved for occupancy by seasonal workers; excluding from that definition a single-family residence or mobile home that is occupied only by a single family; amending s. 381.0086, F.S.; requiring the Department of Health to include certain provisions relative to plan review of residential migrant housing in rules; prohibiting a structural variance for the purpose of filing an interstate clearance order with the Agency for Workforce Innovation; amending ss. 487.011, 487.012, 487.021, 487.025, 487.031, 487.041, 487.0435, 487.045, 487.046, 487.047, 487.049, 487.051, 487.0615, 487.071, 487.081, 487.091, 487.101, 487.111, 487.13, 487.156, 487.159, 487.161, 487.163, 487.171, 487.175, 403.088, 482.242, 500.03, and 570.44, F.S.; changing the term “chapter” to “part” to conform to changes made by the act; creating part II of ch. 487, F.S.; providing a short title; providing for administration by the Department of Agriculture and Consumer Services; declaring legislative intent; defining terms; requiring the department to continue to operate under specified federal worker protection regulations; providing for application unless exempted by federal law; requiring an agricultural employer to make pesticide information available to an agricultural worker; authorizing requests by the worker, a designated representative, or medical personnel treating the worker; requiring the manufacturer of an agricultural pesticide to prepare a material safety data sheet; requiring provision of the data sheet to each direct purchaser; requiring the department to produce and make available a general agricultural pesticide safety sheet; prohibiting an agricultural employer from failing to provide required pesticide information or taking retaliatory action; providing penalties for an agricultural employer who violates part II of ch. 487, F.S.; allowing a worker who seeks relief for retaliatory action to file a complaint with the department; requiring that the department monitor complaints of retaliation and

report findings to the President of the Senate and the Speaker of the House of Representatives; requesting the Division of Statutory Revision to designate parts I and II of ch. 487, F.S.; providing an appropriation and authorizing positions; providing an effective date.

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

### RETURNING MESSAGES—FINAL ACTION

The Honorable James E. “Jim” King, Jr., President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment(s) and passed HB 1861, as amended.

*John B. Phelps, Clerk*

## CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 15 was corrected and approved.

## CO-SPONSORS

Senators Bullard—SB 2056; Cowin—SB 226, SB 120 and Siplin—CS for SB 518

## RECESS

On motion by Senator Lee, the Senate recessed at 1:56 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:30 a.m., Wednesday, April 21 or upon call of the President.